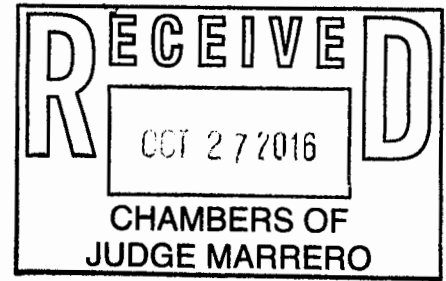


The Law Office of Ihsan Dogramaci

1120 Avenue of the Americas, 4th Floor
New York, NY 10036

Tel: (212) 309 7580
Fax: (646) 568 3727

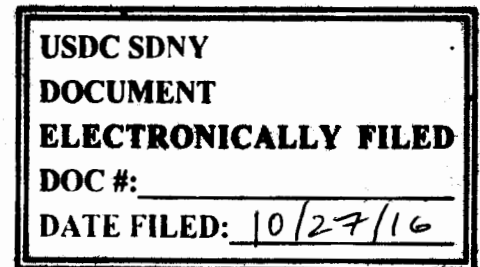


Sender's e-mail:
idogramaci@idlawoffice.net

October 27, 2016

BY FAX

Hon. Victor Marrero
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street, Suite 1040
New York, NY 10007



Re: C.D.S. Inc. v. Zeller et al., No. 16 Civ. 3199 (VM) (JLC)

Dear Judge Marrero:

I represent defendant CDS LLC and defendants/counter-plaintiffs Rapid Systems CC and Bradley Zetler (collectively "Rapid Systems") in this case. I write regarding a minor, clerical matter.

Rapid Systems presently has an appeal pending of the Court's Order of June 6, 2016, granting plaintiff C.D.S. Inc.'s motion for a preliminary injunction. (See ECF Doc. 39.) The clerical matter concerns the docketing on ECF of papers that were submitted to the Court. Plaintiff's original motion papers, submitted to the Court on April 29 and May 2, 2016, have never been docketed on ECF. These papers comprise:

1. plaintiff's proposed order to show cause;
2. a "Declaration of Jeremy E Deutsch in Support of Plaintiff's Application for a Temporary Restraining Order and Preliminary Injunction," dated April 29, 2016;
3. a "Declaration of Jerome Marechaux in Support of Plaintiff's Application for a Temporary Restraining Order and Preliminary Injunction," dated April 29, 2016;
4. a "Declaration of Diane Treat in Support of Plaintiff's Application for a Temporary Restraining Order and Preliminary Injunction," dated April 29, 2016; and

The Law Office of Ihsan Dogramaci

Hon. Victor Marrero
October 27, 2016
Page 2

5. a letter from Jeremy E. Deutsch to your Honor sent to the Court by fax on May 2, 2016, with a 29-page attachment comprised of a "Supplemental Emergency Declaration of Diane Treat in Further Support of Plaintiff's Application for a Temporary Restraining Order and Preliminary Injunction" with Exhibits A and B.

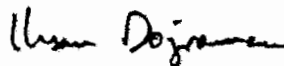
I am in possession of copies of the above five items that were e-mailed to me by C.D.S. Inc. on the evening of May 2, 2016.

In addition, a number of other items have been submitted to the Court by fax or by hand pursuant to your Honor's Individual Practices, but which have not been docketed by ECF. In each instance, copies of these items were sent to all counsel of record at the same time that they were submitted to the Court. These include the following, which Rapid Systems has designated for its Appendix to the Appellants' Brief:

6. a three-page letter from myself to your Honor dated May 17, 2016, sent by fax (without enclosures) and by hand (with two enclosures, which have since been docketed as ECF Docs. 32 & 33);
7. a five-page letter from myself to your Honor dated May 23, 2016, sent by fax;
8. a four-page letter from Jeremy E. Deutsch to your Honor dated May 23, 2016, sent by fax;
9. a three-page letter from myself to your Honor dated June 1, 2016, sent by fax (without enclosures) and by hand (enclosing a nine-page Declaration by Esmé Desiré du Plessis and four attachments to that); and
10. a three-page letter from Jeremy E. Deutsch to your Honor dated June 1, 2016.


I have been directed by the clerks of the Second Circuit to request that these papers be docketed by ECF before being included in the Appendix to the Appellants' Brief. In the interest of convenience and efficiency, I respectfully request leave to send the Court a letter by ECF with the above ten items attached to the letter, so that they will be docketed by ECF.

Respectfully submitted,



Ihsan Dogramaci

cc (by e-mail): All counsel of record

The Clerk of Court is directed to enter into the public record of this action the letter above submitted to the Court by	
<u>Defendants</u>	
SO ORDERED.	
<u>10-27-16</u>	
DATE	VICTOR MARRERO, U.S.D.J.